

COMBINED PUBLIC NOTICE

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

MONMOUTH COUNTY

September 3, 2015

New Jersey Department of Community Affairs
101 South Broad Street
PO Box 800
Trenton, NJ 08625-0800

This Notice is related to Federal assistance provided in response to the Presidentially-declared disaster, Superstorm Sandy. This notice shall satisfy three separate but related procedural requirements for activities to be undertaken by New Jersey Department of Community Affairs (DCA).

Per 24 CFR 58.33, and 24 CFR 55.20(b)(1), the combined Notice of Finding of No Significant Impact (FONSI), Notice of Intent to Request Release of Funds (NOI-RROF), and the Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain and Wetland will be published simultaneously with the submission of the RROF. The funds are needed on an emergency basis due to a declared disaster from the impacts of Superstorm Sandy, which made landfall on October 29, 2012. As a result, the comment periods for the FONSI, NOI-RROF, and 100-Year Floodplain and Wetland have been combined. Commenters may submit comments to DCA and objections to the U.S. Department of Housing and Urban Development (HUD) to ensure they will receive full consideration.

REQUEST FOR RELEASE OF FUNDS

On or about September 21, 2015 the DCA will submit a request to HUD for the release of Federal funds under the Community Development Block Grant Program (CDBG) pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013) for the Flood Hazard Risk Reduction and Resiliency Grant Program. DCA expects to fund the project using approximately \$3,850,000 of Flood Hazard Risk Reduction and Resiliency Grant Program funds.

PROJECT DESCRIPTION

Application ID number: FHR0000006

Project Title: Wreck Pond Improvements

Location: Wreck Pond, Borough of Spring Lake, Monmouth County, NJ

The total estimated project cost is \$6,255,100.00

The overall project consists of the construction of a secondary concrete box culvert that will discharge to the Atlantic Ocean at an elevation designed to maximize flow out of the pond during heavy flooding rainfall events. The design is coordinated with US Fish and Wildlife fish passage engineers, in an effort to allow for the passage of migratory fish for spawning upstream in the pond. Under NJDEP Marine Water Monitoring Program the project will result in a positive impact on the Pond's water quality and minimize or negate historical beach closures. A Sluice gate system will be installed at the inflow of the Pond into the box culvert, to control tidal inflow and stormwater outflow.

The project also will create approximately 6,000 linear feet of living shoreline including a vegetated berm with a potential elevation of 6 feet above sea level National Geodetic Vertical Datum (NGDV 1988) along the northern shoreline of Wreck Pond in Spring Lake and Spring Lake Heights that would span west from the existing tide gate structure currently providing connectivity to the Atlantic Ocean westward to an appropriate stopping point or just past Route 71. Other locations for the vegetated berm include segments of the North Branch of Wreck Pond Brook (known as Black Creek) from the Pond to just west of the Railroad Bridge, and a portion on the southern shoreline in Sea Girt that is currently lower than elevation 6 feet. Creating the vegetated berm to 6 feet elevation will protect hundreds of properties in Spring Lake, Spring Lake Heights, and Sea Girt from fluvial flooding and coastal storm surges by increasing storage and holding capacity.

Dredging of the historical channels of Wreck Pond is proposed to improve the hydraulic capacity of the lake, and remove sediment from the lakebed, which currently impedes the natural flow to the Ocean. Sediment has been tested and is intended to be utilized for beneficial reuse in the establishment of the proposed living shoreline.

FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN AND WETLAND

This is to give notice that the DCA has conducted an evaluation as required by Executive Order 11988 and 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded with Community Development Block Grant Disaster Recovery (CDBG-DR) funds under HUD grant number B-13-DS-34-0001.

The proposed project is located along the shoreline/ outfall of Wreck Pond, Borough of Spring Lake, Monmouth County, New Jersey. The project consists of the construction of a secondary concrete box culvert that will discharge to the Atlantic Ocean at an elevation designed to maximize flow out of the pond during heavy flooding rainfall events.

The project also will create approximately 6,000 linear feet of living shoreline including a vegetated berm with a potential elevation of 6 feet above sea level National Geodetic Vertical Datum (NGDV 1988) along the northern shoreline of Wreck Pond in Spring Lake and Spring Lake Heights, segments of the North Branch of Wreck Pond Brook (known as Black Creek) from the Pond to just west of the Railroad Bridge, and a portion on the southern shoreline in Sea

Girt that is currently lower than elevation 6 feet. Creating the vegetated berm to 6 feet elevation will protect hundreds of properties in Spring Lake, Spring Lake Heights, and Sea Girt from fluvial flooding and coastal storm surges by increasing storage and holding capacity.

Dredging of the historical channels of Wreck Pond is proposed to improve the hydraulic capacity of the lake, and remove sediment from the lakebed, which currently impedes the natural flow to the Ocean.

The entire project is located within the Special Flood Hazard Area Zone AE, as shown on the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Map (FIRM) Panels 343 and 344, Map Numbers 34025C0343G and 34025C0344G, effective date January 31, 2014.

The proposed outfall will be constructed within the NJDEP mapped wetlands. The wetland area is approximately 1.51 acres mapped, within the Borough of Spring Lake, which has approximately 350 linear feet along the northern shoreline of Wreck Pond. The proposed outfall will extend approximately 150 linear feet through a vegetated dune system. The wetland area adjacent to the site has been classified as Lacustrine Marine Intertidal Unconsolidated Shore Sand, Irregularly Flooded. The outfall will discharge into Estuarine and Marine Deepwater.

The proposed project is anticipated to have temporary and minor impacts during the new improvements and repair activities as a result of construction worker and vehicular traffic, the use of equipment during construction activities, and materials temporarily placed in staging areas on the premises. However, Best Management Practices (BMPs) such as temporary vegetative ground cover, brush barriers, silt fences or hay bales and good housekeeping practices will be utilized to minimize any potential impacts to the floodplain and wetlands and to restore and preserve natural and beneficial floodplain values and the protection of wetlands to the greatest extent feasible. The construction of the dredging, secondary outfall, and living shoreline involves some changes, albeit minimal changes, in land use. The development of the living shoreline berm will alter topography to mitigate runoff to continue to drain towards the secondary culvert with anticipated impacts on reducing flooding. The development of the project does not involve any construction of habitable or non-habitable structures, does not increase floodplain occupancy, is not expected to endanger existing development, result in harm to or within the floodplain, or to be vulnerable to flood damage. The proposed project and landscaping will not impair floodwater flow; rather, it will help enhance runoff and preserve floodplains and floodways. Parts of the culvert improvements are located on and adjacent to wetlands; however, all activities are expected to only disturb the vegetated dune system for a minimal amount of time during project activities. All portions of the planned secondary culvert that are located on vegetated dune system will be replacement in kind. Therefore, this area will be returned to its original natural environment. The proposed project will provide flood protection to residents and provide shoreline habitat to wildlife. Therefore, any negative impacts to the vegetated dune system are anticipated to be temporary and minor.

DCA has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values:

Relocation of the project to a different location outside the 100-Year Floodplain and Wetlands. Relocating the entire project to a site outside of a 100-year Floodplain and Wetlands is not financially feasible and would be contrary to the purpose and function of the proposed activities. If left in its' current condition, flooding will continue to occur during smaller rainfall events. Flooding for the localized area could be expected to expand, along with possible injury and death from non access to properties within the flooded area.

A no action option does not address reduction and/or elimination of future risks to the Borough, and will result in the following issues:

Continued property damage due to flooding; the need for health emergency related responses; access to critical structures; living shoreline issues with water quality and protection of threatened/ endangered species; and continued infrastructure damage due to flooding.

A no action option would lead to more costly future repairs.

In review of other feasible alternatives, and taking into consideration the engineering task of protecting against coastal flooding as well as fluvial flooding is the comprehensive preferred solution described within the scope of work would be the only recommended and feasible option. Mitigating the infrastructure improperly would not address the goals of the Community Rating System and the revitalization of Wreck Pond ecosystem.

DCA has reevaluated the alternatives to building in the floodplain and wetland and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11988 and 11990, are available for public inspection, review and copying upon request at the times and location described in the Public Comments section of this notice.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains/wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains/wetlands, it must inform those who may be put at greater or continued risk.

FINDING OF NO SIGNIFICANT IMPACT

The DCA has determined that this project will have no significant impacts on the human environment. Therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the New Jersey Department of Community Affairs, Sandy Recovery Division, 101 South Broad Street, Trenton, NJ 08625-

0800. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M. or can be viewed online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/>.

PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on this project may submit written comments to Stacy Bonnaffons, Assistant Commissioner, Sandy Recovery Division, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 800, Trenton, NJ 08625-0800 or online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/> and to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. All comments received by September 21, 2015 or fifteen (15) days from the actual date of publication, whichever is later, will be considered by DCA. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

DCA certifies to HUD that Charles A. Richman, in his capacity as Commissioner of DCA consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities, and allows DCA to use CDBG-DR funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and DCA's certification for a period of fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of DCA; (b) DCA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency, acting pursuant to 40 CFR Part 1504, has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58.76) and shall be addressed to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

Commissioner Charles A. Richman
New Jersey Department of Community Affairs